REGISTERED No. M. 4631.

# KERALA GAZETTE

## EXTRAORDINARY

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# THE KERALA EDUCATION (SECOND AMENDMENT) BILL, 1960

*(Report of the Select Committee)*

The Select Committee to which the Kerala Education (Second Amendment) Bill, 1960 was referred, have considered the Bill clause by clause and now submit this, their report, with the Bill as amended by the Committee annexed thereto.

2. The Bill was published in the Gazette Extraordinary dated the 13th December, 1960.

3. The Bill was introduced in the Legislative Assembly on the 14th December 1960 and the motion for reference of the Bill to a Select Committee was adopted on the 16th December 1960.

4. The Committee met on the 16th December 1960. The changes recommended by the Committee are given below:

4. *Clause 3*: The Committee feel that no teacher of an aided school shall be placed under suspension by the manager for a continuous period exceeding fifteen days without the previous sanction of the officer authorised in that behalf. The period of one month fixed under sub-section (2) of section 12 proposed to be substituted, has accordingly been reduced to fifteen days.

5. The other changes are only verbal.

A. THANU PILLAI,
*Chairman of the Select Committee.*

2|4621.

## DISSENTING NOTE

We, the undersigned members of the Select Committee, wish to sumbit the following minute of dissent to the report of the Committee:

We do not agree with the majority view with regard to Clause 2 of the Amendment Bill i. e., the amendment proposed by the Government to section 11 of the principal Act.

The proposed amendment is not sufficiently effective in restricting the malpractices prevalent in the matter of appointment of teachers.

It does not also suffice to serve the purpose of communal reservation.

To serve these purposes fully, the original clause should be retained. If some relaxation of the provision is found necessary it may be amended on the following lines:

The P. S. C. should be authorized to prepare a list of candidates for appointment in both private and Government schools. Every candidate possessing the required qualification should be entitled to be enrolled in the list. For the purpose of giving representation to communities, appointment in private schools shall be deemed to be appointment in Government schools.

With regard to clause 3, i. e., amendment proposed to section 12 of the Act, we are for the retention of the original clause. In particular, we wish to state that we cannot agree to clause 3 sub-clause 2, since the right of the manager to suspend teachers for a period not exceeding one month is likely to be misused. If the manager is not required to secure the prior consent of the officer concerned for suspending a teacher it is certain to prejudice the interests of the teachers.

| | | |
|---|---|---|
| 1. | C. Achutha Menon | (Sd.) |
| 2. | K. Bhargavan | ,, |
| 3. | P. K. Kunjachan | ,, |

# THE KERALA EDUCATION (SECOND AMENDMENT) BILL, 1960

(*As amended by the Select Committee*)

(The underlines indicate the changes made by the Committee; Omissions are indicated by asterisks).

*A Bill to amend the Kerala Education Act, 1958.*

*Preamble.*—WHEREAS it is deemed expedient to amend the Kerala Education Act, 1958 (6 of 1959) for the purposes hereinafter appearing;

BE it enacted in the Eleventh Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Kerala Education (Second Amendment) Act, 1960.

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force at once.

2. *Amendment of section 11.*—For section 11 of the Kerala Education Act, 1958 (6 of 1959) (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

"11. *Appointment of teachers in aided schools.*—Subject to the rules and conditions laid down by the Government, teachers of aided schools shall be appointed by the managers of such schools from among persons who possess the qualifications prescribed under section 10.".

3. *Amendment of section 12.*—For section 12 of the principal Act, the following section shall be substituted, namely:—

"12. *Conditions of service of aided school teachers.*—(1) The conditions of service of teachers in aided schools, including conditions relating to * * * pay, pension, provident fund, insurance and age of retirement, shall be such as may be prescribed by the Government.

(2) No teacher of an aided school shall be dismissed, removed or reduced in rank by the manager without the previous sanction of the officer authorised by the Government in this behalf, or placed under suspension by the manager for a continous period exceeding fifteen days without such previous sanction.".

4. *Amendment of section 13.*—In section 13 of the principal Act, the words "notwithstanding the fact that they are not included in the list of candidates selected by the Public Service Commission under section 11" shall be omitted.

5. *Amendment of section 36.*—In section 36, sub-section (2), of the principal Act, after clause (e), the following shall be inserted as clause (ee), namely:—

"(ee) regulating admissions to schools maintained by the Government or receiving aid out of State funds, by making special provisions for the advancement of socially and educationally backward classes of citizens and the Scheduled Castes and Scheduled Tribes;".

6. *Repeal.*—The Kerala Education (Amendment) Act, 1960 (8 of 1960), is hereby repealed.

D. TIRUMALAI,
*Secretary,*
*Legislative Assembly.*

Kerala Gazette No. 50 dated 20th December 1960.



## Public (Services D) Department

### NOTIFICATION

*Dated, Trivandrum, 13th December 1960.*

No. S (D) 5-89647/60/PD.

It is hereby notified for general information that the person whose particulars are given below is debarred by Government from re-employment in Government service:

| Sl. No. | Name of the person debarred. | Post held. | Department to which he belonged. | Father's name. | Permanent address. | Age and date of birth. | Religion. | Height. | Marks of identification. |
|---|---|---|---|---|---|---|---|---|---|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) |
| 1 | Sri K. Arunachalam | Thotty | Health Services Department | Karuppan | Manthakad, Chittur | 28 years 1-1-1932 | Hindu | 5'—1" | 1. Dark mole left side of chest 2" inside the nipple. 2. Dark mole right side of chest 2" above as to the right of the nipple. |

By order of the Governor.

V. P. Cherian,
*Deputy Secretary.*

To

All Heads of Departments
All District Collectors
All District Judges
All District Superintendents of Police
The Secretary, Public Service Commission (with C. L.)
The Registrar, High Court, Ernakulam (with C. L.)
The Registrar, University of Kerala (with C. L.)
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Director of Intelligence Bureau (with C. L.)
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